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10-18-02



PATENT

Attorney Docket No. 82001-0148

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

David WEBER

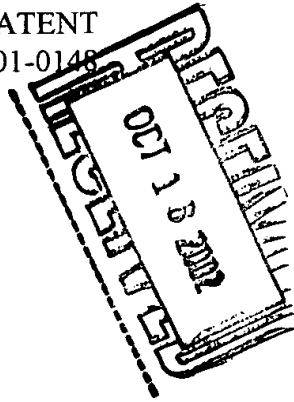
Application No.: 09/903,855

Filed: July 13, 2001

For: SHIPPING AND
TRANSPORTATION
OPTIMIZATION SYSTEM AND
METHOD

) Art Unit: 3623

) Examiner: A. K. Boyce



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Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Further to the Information Disclosure Statement and Form PTO-1449 filed October 15, 2001, Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of each of the listed documents is submitted herewith.

This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

HOGAN & HARTSON LLP

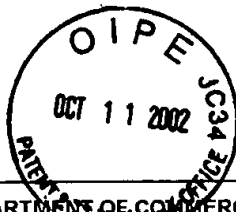
Dated: October 11, 2002

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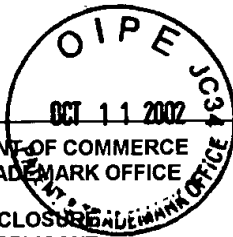


FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				ATTY. DOCKET NO. 82001-0148		APPLICATION NO. 09/903,855	
				APPLICANT David WEBER			
				FILING DATE July 13, 2001		GROUP Art Unit 3623	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,412,287	October 25, 1983	Braddock, III	364	408	September 15, 1982
		4,674,044	June 16, 1987	Kalmus et al.	364	408	January 30, 1985
		5,727,165	March 10, 1998	Ordish et al.	395	237	December 27, 1994
		5,794,210	August 11, 1998	Goldhaber et al.	705	14	December 11, 1995
		5,794,219	August 11, 1998	Brown	705	37	February 20, 1996
		5,826,244	October 20, 1998	Huberman	705	37	August 23, 1995
		5,835,716	November 10, 1998	Hunt et al.	395	200.43	December 15, 1995
		5,835,896	November 10, 1998	Fisher et al.	705	37	March 29, 1996
		5,890,138	March 30, 1999	Godin et al.	705	26	August 26, 1996
		5,905,975	May 18, 1999	Ausubel	705	37	January 2, 1997
		5,916,209	June 22, 1999	Lawrence	455	312	October 3, 1997
		5,974,395	October 26, 1999	Bellini et al.	705	9	August 21, 1996
		6,006,201	December 21, 1999	Berent et al.	705	27	July 3, 1997
		6,012,045	January 4, 2000	Barzilai et al.	705	37	July 1, 1997
		6,021,398	February 1, 2000	Ausubel	705	37	May 3, 1999
		6,023,685	February 8, 2000	Brett et al.	705	37	May 23, 1997
		6,023,686	February 8, 2000	Brown	705	37	June 5, 1998
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(Modified) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 82001-0148

APPLICATION NO. 09/903,855

INFORMATION DISCLOSURE
STATEMENT BY APPLICANTAPPLICANT
David WEBER

(Use several sheets if necessary)

FILING DATE
July 13, 2001

GROUP Art Unit 3623

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,026,383	February 15, 2000	Ausubel	705	37	January 4, 1996
		6,035,288	March 7, 2000	Solomon	705	37	June 29, 1998
		6,035,289	March 7, 2000	Chou et al	705	37	July 14, 1998
		6,044,363	March 28, 2000	Mori et al.	705	37	September 2, 1997
		6,047,274	April 4, 2000	Johnson et al.	705	412	February 13, 1998
		6,049,781	April 11, 2000	Forrest, et al	705	30	April 18, 1996
		6,055,518	April 25, 2000	Franklin et al.	705	37	November 12, 1996
		6,058,379	May 2, 2000	Odom et al.	705	37	July 11, 1997
		6,064,981	May 16, 2000	Barni et al.	705	26	June 17, 1990
		6,078,906	June 20, 2000	Huberman	705	37	October 16, 1998
		6,131,087	October 10, 2000	Luke et al.	705	26	November 5, 1998
		6,134,534	October 17, 2000	Walker et al.	705	26	September 4, 1997
		6,151,589	November 21, 2000	Aggarwal et al.	705	37	September 10, 1998
		6,161,099	December 12, 2000	Harrington et al.	705	37	May 29, 1998
		6,167,386	December 26, 2000	Brown	705	37	May 3, 1999
		6,199,050	March 6, 2001	Alaia et al.	705	37	May 14, 1999
		6,202,051	March 13, 2001	Woolston	705	27	February 19, 1999
		6,216,114	April 10, 2001	Alaia et al.	705	37	May 14, 1999

EXAMINER

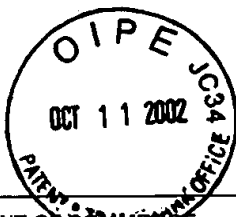
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Sheet 3 of 3

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 82001-0148	APPLICATION NO. 09/903,855
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	APPLICANT David WEBER	
	FILING DATE July 13, 2001	GROUP Art Unit 3623
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
Dick, R., Yellow Fine Tunes Web Site with Custom Rate Quotes, News Release, Yellowfreight.com, January 2000		
Dick, R., Yellow Now Open for 'E business'. News Release, Yellowfreight.com., March 1999		
PRNewswire, Wal-Mart Streamlines Transportation Bidding Process with The Sabre Group's Decision Support Software, Dialog, File 813, Document #1330249, August 1998		
NTE, Inc., http: www.ntc.com/Default.asp (downloaded October 10, 2001).		
NTE, Inc., http: www.ntc.com/exchange/default.asp (downloaded October 10, 2001).		
NTE, Inc., http: www.ntc.com/exchange/exchangeinfo_works.asp (downloaded October 10, 2001).		
NTE, Inc., http: www.ntc.com/exchange/exchangeinfo_feat.asp (downloaded October 10, 2001).		
EXAMINER	DATE CONSIDERED	
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